

CUSTOMS

**Agreement Between the
UNITED STATES OF AMERICA
and the NETHERLANDS**

Extending the Agreement of October 28, 1996

Effectuated by Exchange of Notes

Dated at Washington April 27 and November 28, 2001



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . . the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

NETHERLANDS

Customs

*Agreement extending the agreement
of October 28, 1996.
Effected by exchange of notes
Signed at Washington April 27 and
November 28, 2001;
Entered into force December 13, 2002.*



No. PCdP-2604/01

The Royal Netherlands Embassy presents its compliments to the Department of State and has the honor to refer to the Agreement on Mutual Administrative Assistance for the Proper Application of Customs Law and for the Prevention, Investigation and Combatting of Customs Offenses between the Kingdom of the Netherlands and the United States of America signed at Washington on 28 October 1996 (hereinafter referred to as "the Agreement").

The Government of the Kingdom of the Netherlands proposes that, in accordance with Article 20, paragraph 2 of the Agreement, the application of the Agreement shall be extended to the Netherlands Antilles and Aruba subject to the following.

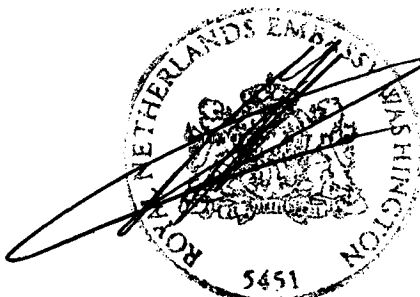
1. For the Kingdom of the Netherlands, as regards the Netherlands Antilles and as regards Aruba, the term "Customs Administration" shall mean the central administration responsible for the implementation of customs laws, including the assessment of customs duties, charges and other taxes.
2. The application of Article 5 and Article 15, paragraph 6, of the Agreement shall not be extended to the Netherlands Antilles and Aruba.
3. The second sentence of Article 2, paragraph 4, of the Agreement shall apply only to the Netherlands Antilles and Aruba, as the case may be, insofar as the bilateral and the multilateral treaties referred to therein apply to those parts of the Kingdom of the Netherlands, respectively.
4. National legal and administrative provisions in the sense of Article 16, paragraph 1, shall, as regards the Netherlands Antilles and as regards Aruba, include Chapter 3 of the Kingdom Act on mutual administrative assistance in customs matters, until such time as legal and administrative provisions adopted by the Netherlands Antilles or Aruba, respectively, come into force.

If the foregoing is acceptable to the Government of the United States of America, the Embassy has the further honor to propose that this Note and the Department's reply to that effect shall constitute an Agreement between the Kingdom of the Netherlands and the United States of America which shall be provisionally applied as from the date of the Department's reply and enter into force after the Kingdom of the Netherlands has notified the United States of America in writing through diplomatic channels that its constitutional requirements for the entry into force have been complied with.

The Royal Netherlands Embassy avails itself of this opportunity to reiterate to the Department of State the assurances of its highest consideration.

Washington, D.C., April 27, 2001.

The U.S. Department of State,
220 C. Street N.W.
Washington, D.C. 20520.



The Department of State acknowledges receipt of note No. PCdP-2604/01 dated April 27, 2001, from the Royal Netherlands Embassy concerning the Agreement on Mutual Administrative Assistance for the Proper Application of Customs Law and for the Prevention, Investigation and Combating of Customs Offenses between the United States of America and the Kingdom of the Netherlands signed at Washington October 28, 1996. The text of the aforesaid note reads as follows:

"The Royal Netherlands Embassy presents its compliments to the Department of State and has the honor to refer to the Agreement on Mutual Administrative Assistance for the Proper Application of Customs Law and for the Prevention, Investigation and Combating of Customs Offenses between the Kingdom of the Netherlands and the United States of America signed at Washington on 28 October 1996 (hereinafter referred to as "the Agreement").

"The Government of the Kingdom of the Netherlands proposes that, in accordance with Article 20, paragraph 2 of the Agreement, the application of the Agreement shall be extended to the Netherlands Antilles and Aruba subject to the following.

1. For the Kingdom of the Netherlands, as regards the Netherlands Antilles and Aruba, the term "Customs Administration" shall mean the

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central administration responsible for the implementation of customs laws, including the assessment of customs duties, charges and other taxes.

2. The application of Article 5 and Article 15, paragraph 6, of the Agreement shall not be extended to the Netherlands Antilles and Aruba.

3. The second sentence of Article 2, paragraph 4, of the Agreement shall apply only to the Netherlands Antilles and Aruba, as the case may be, insofar as the bilateral and multilateral treaties referred to therein apply to those parts of the Kingdom of the Netherlands, respectively.

4. National legal and administrative provisions in the sense of Article 16, paragraph 1, shall, as regards the Netherlands Antilles and Aruba, include Chapter 3 of the Kingdom Act on mutual administrative assistance in customs matters, until such time as legal and administrative provisions adopted by the Netherlands Antilles and Aruba, respectively, come into force.

"If the foregoing is acceptable to the Government of the United States of America, the Embassy has the further honor to propose that this Note and the Department's reply to that effect shall constitute an agreement between the Kingdom of the Netherlands and the United States of America which shall be provisionally applied as from the date of the Department's reply and enter into force after the Kingdom of the Netherlands has notified the United States of America in writing through diplomatic channels that its constitutional requirements for the entry into force have been complied with.

"The Royal Netherlands Embassy avails itself of this opportunity to reiterate to the Department of State the assurances of its highest consideration."

The Department confirms that the above proposal is acceptable to the Government of the United States of America and that the Embassy's note and this note in reply shall constitute an Agreement between the two Governments, which shall be provisionally applied as from the date of this note and enter into force after the Kingdom of the Netherlands has notified the United States of America in writing through diplomatic channels that its constitutional requirements for the entry into force have been complied with.

Department of State,

Washington, November 28, 2001.

A handwritten signature or set of initials, possibly "WES", written in dark ink. The signature is stylized and appears to be a personal or official mark.